

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
BEAUFORT DIVISION

Ted D. Ellis and Teresa Ellis,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C/A No.: 9:19-cv-2163-RMG-MGB
	)	
Cody Kirkman, Individually; Amber	)	
Swinehammer, Individually; Lindsey	)	
Gibson, Individually; Cody C. Kirkman,	)	
Amber Swinehammer, and Lindsey	)	
Gibson, as agents/officers of Town of	)	
Bluffton Police Department; and Town	)	
Bluffton Police Department,	)	
	)	
Defendants.	)	
_____	)	

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STATUS REPORT

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By the Court's Order and Report and Recommendation, (Docket Entry 44), the Court granted Defendants' Motion to Stay (Docket Entry 33) and required monthly status updates. There have been no published decisions regarding the status of the criminal investigation into the underlying matter. On December 10, 2020, the undersigned counsel left messages for AUSA Ben Garner and FBI Special Agent, George French, assigned to the Criminal Investigation. In a return call from Agent French, he confirmed that he has been in communication with AUSA Ben Garner, that the investigation is still on-going and that no prosecutorial decision has yet been made in the matter. To date, the reasons set forth in support of the Order to Stay remain unchanged.

Respectfully submitted,

LAW OFFICES OF CHRISTY L. SCOTT, LLC

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ATTORNEY FOR DEFENDANTS

Cody C. Kirkman, Individually and as an Officer of Town of Bluffton Police Department; Amber Swinehamer, (mistakenly spelled Swinehammer), Individually and as an Officer of Town of Bluffton Police Department; former Bluffton police officer Lindsey Gibson, sued individually and as a former police officer of the Bluffton Police Department and the Town of Bluffton Police Department

December 11, 2020

Walterboro, South Carolina